

DECLARATION FOR PATENT APPLICATION

Docket No.62386

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: DEVICE AND METHOD FOR ELIMINATING ADIPOSE LAYERS BY MEANS OF LASER ENERGY

the specification of which

(Check one) ☒ [X] is attached hereto.
☐ [] was filed on _____ as
Application Serial No. _____
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

FI/96/A/000025
(Number)

Italy
(Country)

13/Feb./1996
(Day/Month/Year filed)

Priority Claimed
YES

(Number)

(Country)

(Day/Month/Year filed)

(Number)

(Country)

(Day/Month/Year filed)

(Number)

(Day/Month/Year filed)

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/798,516
(Application Serial No)

February 10, 1997
(Filing Date)

Pending
(Patented, Pending, Abandoned)

(Application Serial No)

(Filing Date)

(Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **John J. McGlew, Reg. 17,722; and/or John James McGlew, Reg. 31,903; and/or Hilda S. McGlew Reg. 30,295; and/or Theobald Dengler, Reg. 34,575; and/or Clario Ceccon, Reg. 19,268; and/or Kristina M. Grasso Reg. 39,205.**

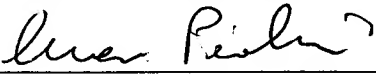
Address all calls to: John James McGlew at telephone no. (914) 941-5600

Address all correspondence to:

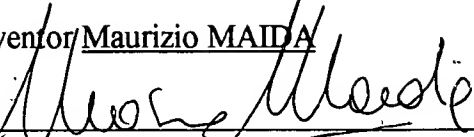
**McGLEW AND TUTTLE, P.C.
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Cesare PAOLINI

→Inventor's signature  →Date May 21, 1999
Residence Via Toscanini 7, 50066 MONTANINO DI REGGELLO, Firenze, Italy
Citizenship Italian
Post Office Address Via Toscanini 7, 50066 MONTANINO DI REGGELLO, Firenze, Italy

Full name of second inventor Maurizio MAIDA

→Inventor's signature 

→Date May 21, 1999

Residence Via Serchio 2, 54037 MARINA DI MASSA, Massa Carrara, Italy

Citizenship Italian

Post Office Address Via Serchio 2, 54037 MARINA DI MASSA, Massa Carrara, Italy

Via G. SORENGHI . 4. MILANO

Full name of third inventor Fabrizio MENCARELLI

→Inventor's signature 

→Date May 21, 1999

Residence Via Nuova 45, 54013 FIVIZZANO, Massa Carrara, Italy

Citizenship Italian

Post Office Address Via Nuova 45, 54013 FIVIZZANO, Massa Carrara, Italy

Via MEUCCI 1/c MASSA C.

Full name of fourth inventor _____

→Inventor's signature _____

→Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fifth inventor _____

→Inventor's signature _____

→Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of sixth inventor _____

→Inventor's signature _____

→Date _____

Residence _____

Citizenship _____

Post Office Address _____

ATTORNEY DOCKET NO. 62386

Applicant: PAOLINI et al.

Serial No.:

Filed:

For: DEVICE AND METHOD FOR ELIMINATING ADIPOSE LAYERS BY MEANS OF LASER ENERGY

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27 (c)) SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of a small business concern identified below:
☒ an official of the small business concern empowered to act on
behalf of the concern identified below

NAME OF CONCERN EL.EN. S.p.A.

ADDRESS OF CONCERN Via G.da S. Giovanni No. 10, 50141 FIRENZE, Italy

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to the remain with the small business concern identified above with regard to the invention, entitled DEVICE AND METHOD FOR ELIMINATING ADIPOSE LAYERS BY MEANS OF LASER ENERGY by inventor(s): Cesare PAOLINI, Maurizio MAIDA, Fabrizio MENCARELLI described in

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____,
☐ patent no. _____, issued _____.

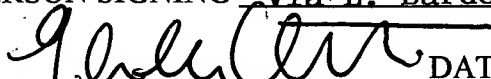
If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (c) if that person made the invention or by any concern which would not qualify as small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
[] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
[] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING CLEMENTI Gabriele
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING Via L. Bardelli 27 - 50139 FIRENZE Italy
SIGNATURE  DATE May 21, 1999

62386.5

S 3606



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

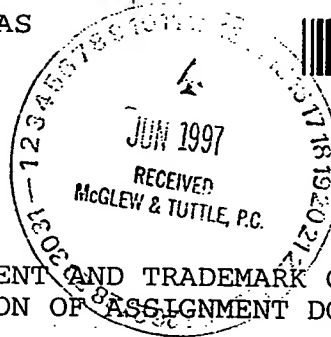
JUNE 04, 1997

PTAS

MCGLEW & TUTTLE
SCARBOROUGH STATION
SCARBOROUGH, NY 10510-0827



100401439A



UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/10/1997

REEL/FRAME: 8459/0800
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

ASSIGNOR:
PAOLINI, CESARE

DOC DATE: 01/21/1997

ASSIGNOR:
MAIDA, MAURIZIO

DOC DATE: 01/21/1997

ASSIGNOR:
MENCARELLI, FABIRIZIO

DOC DATE: 01/21/1997

ASSIGNEE:
EL.EN. S.P.A.
VIA G.DA S. GIOVANNI NO. 10
50141 FIRENZE, ITALY

SERIAL NUMBER: 08798516
PATENT NUMBER:

FILING DATE: 02/10/1997
ISSUE DATE:



8459/0800 PAGE 2

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-24-1997



100401439

RECOMMENDATION SHEET
PATENTS ONLY

65705 U.S. PTO
08798516
02/10/97

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

RE: Our File: 53606

1. Name (and address) of
conveying party(ies)

Cesare PAOLINI
Via Toscanini 7
50066 MONTANINO DI REGGELLO
Firenze, Italy

Maurizio MAIDA
Via Serchio 2
54037 MARINA DI MASSA
Massa Carrara, Italy

Fabrizio MENCARELLI
Via Nuova 45
54013 FIVIZZANO
Massa Carrara, Italy

2. Name and Address of
receiving party(ies)

EL.EN. S.p.A.
Via G.da S. Giovanni No. 10
50141 FIRENZE, Italy

Jc649 U.S. PTO
09/322579
05/28/99

3. Nature of conveyance:

☒ (X) Assignment;
☐ () Security Agreement;
☐ () Other;

☐ () Merger
☐ () Change of Name

Execution Date: January 21, 1997

4. Application number(s) or patent number(s):

If this document is being filed together with a new
application, the execution date of the application is: January
21, 1997 08798516

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached ☐ () Yes ☒ (X) No

5. Name and address of party to whom correspondence
concerning document should be mailed:

McGlew & Tuttle
Scarborough Station
Scarborough, New York 10510-0827

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

(X) Enclosed

() Authorized to be charged to deposit account

() Already submitted

8. Deposit account number:
13-0410

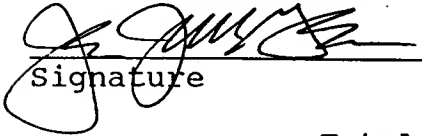
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John James McGlew
Name of person signing

Reg. No. 31,903


Signature

February 10, 1997
Date

Total number of pages comprising cover sheet, attachments, and documents 3

JJM:tm
53606.3

Enclosures: - Assignment Document
 - Check for recording fee of \$40.00

SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510
DATED: February 10, 1997

NOTE: IF THERE IS ANY FEE DUE AT THIS TIME, PLEASE CHARGE IT TO OUR DEPOSIT ACCOUNT NO. 13-0410 AND ADVISE.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL, REGISTRATION NO. EM080630419US IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON February 10, 1997

McGLEW AND TUTTLE, SCARBOROUGH STATION,
SCARBOROUGH, NEW YORK 10510-0827

By: 

Date: February 10, 1997

ASSIGNMENT OF UNITED STATES PATENT APPLICATION

WHEREAS, 1) PAOLINI Cesare and 2) MAIDA Maurizio and 3) MENCARELLI Fabrizio
Residing respectfully at: 1) Via Toscanini 7, Montanino di Reggello, Firenze, Italy;

2) Via Serchio 2, Marina di Massa, Massa Carrara, Italy; 3) Via Nuova 45, Fivizzano, Massa

have invented certain new and useful improvements in an invention entitled: Carrara, Italy

"DEVICE AND METHOD FOR ELIMINATING ADIPOSE LAYERS BY MEANS OF LASER ENERGY"

for which they are about to make application for Letters Patent of the United States of America:

AND, WHEREAS, EL.EN. S.P.A.

located and doing business at: Via G. da S. Giovanni No. 10, 50141 FIRENZE, Italy

(hereinafter referred to as Assignee) is desirous of acquiring an interest herein and in the Letters Patent to be obtained therefor from the United States;

NOW THEREFORE, be it known by all whom it may concern, that for and in consideration of the sum of One Dollar (\$1.00) (or the equivalent thereof in foreign currency) and other valuable consideration to us in hand paid, the receipt of which is hereby acknowledged, We have assigned, sold and set over and by these presents do assign, sell and set over unto the said Assignee for the territory of the United States of America and not elsewhere, the full and full exclusive right, title and interest in and to the said invention, as fully set forth and described in the specification prepared and executed by us on January 21, 1997
filed Serial Number

preparatory to obtaining Letters Patent therefor; said invention, application and Letters Patent to be held and enjoyed by the said Assignee for its own use and behoof and for the use and behoof of its successors and assigns to the full end of the term for which said Letters Patent is granted, as fully and entirely as the same would have been held by us had this Assignment and sale not been made.

IN WITNESS WHEREOF, I have hereunto set my hand this 21th
day of January, 1997.

In the presence of:

[Signature]
[Signature]

[Signature] (Cesare Paolini)
[Signature] (Maida Maurizio)
[Signature] (Mencarelli Fabrizio)